



Sen. Denny Jacobs

**Filed: 5/17/2004**

09300HB1004sam001

LRB093 05702 AMC 51075 a

1 AMENDMENT TO HOUSE BILL 1004

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1004 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Pyrotechnic Operator Licensing Act is  
5 amended by changing Sections 5 and 30 as follows:

6 (225 ILCS 227/5)

7 Sec. 5. Definitions. In this Act:

8 "Display fireworks" means any substance or article defined  
9 as a Division 1.3G ~~or 1.4~~ explosive by the United States  
10 Department of Transportation under 49 CFR 173.50, except a  
11 substance or article exempted under the Fireworks Use Act.

12 "Fireworks" has the meaning given to that term in the  
13 Fireworks Use Act.

14 "Lead pyrotechnic operator" means the individual with  
15 overall responsibility for the safety, setup, discharge, and  
16 supervision of a pyrotechnic display.

17 "Office" means Office of the State Fire Marshal.

18 "Person" means an individual, firm, corporation,  
19 association, partnership, company, consortium, joint venture,  
20 commercial entity, state, municipality, or political  
21 subdivision of a state or any agency, department, or  
22 instrumentality of the United States and any officer, agent, or  
23 employee of these entities.

24 "Pyrotechnic display" or "display" means the detonation,

1 ignition, or deflagration of display fireworks to produce a  
2 visual or audible effect of an exhibitional nature before the  
3 public, invitees, or licensees, regardless of whether  
4 admission is charged.

5 (Source: P.A. 93-263, eff. 7-22-03.)

6 (225 ILCS 227/30)

7 Sec. 30. Rules. The State Fire Marshal shall adopt all  
8 rules necessary to carry out its responsibilities under this  
9 Act including rules requiring the training, examination, and  
10 licensing of lead pyrotechnic operators engaging in or  
11 responsible for the handling and use of Division 1.3G (Class B)  
12 ~~and 1.4 (Class C)~~ explosives. The test shall incorporate the  
13 rules of the State Fire Marshal, which shall be based upon  
14 nationally recognized standards such as those of the National  
15 Fire Protection Association (NFPA) 1123 guidelines for outdoor  
16 displays and NFPA 1126 for indoor displays. The Fire Marshal  
17 shall adopt rules as required for the licensing of a lead  
18 pyrotechnic operator involved in an outdoor or indoor  
19 pyrotechnic display.

20 (Source: P.A. 93-263, eff. 7-22-03.)".